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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,886	12/17/2001	Steve Vlcan	1793.0310001	7290

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EXAMINER

MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/015,886		VLCAN ET AL.	
	Examiner		Art Unit	
	Aravind K. Moorthy		2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the amendment filed on 29 December 2004.
2. Claims 1-18 are pending in the application.
3. Claims 1-18 have been rejected.

Response to Arguments

4. Applicant's arguments filed 29 December 2004 have been fully considered but they are not persuasive.

On page 8, the applicant argues that there is no suggestion to perform the functions claimed over a communication medium, such as the Internet (claims 6 and 14), a local network (claims 7 and 15) or a wireless network (claims 8 and 16).

The examiner respectfully disagrees. Figure 1 clearly shows a communications medium as claimed in claims 1 and 10. Figure 1 clearly shows the Internet as claimed in claims 6 and 14. The examiner asserts that Krishnaswami et al was not used to teach a wireless network as claimed in claims 8 and 16. Satyanarayana et al was used to teach the use and benefits of a wireless network.

On page 8, the applicant argues that Krishnaswami does not disclose, "reinstalling a file" that failed an integrity check "at the remote location via a communications medium," as recited in independent claims 1 and 10.

The examiner respectfully disagrees. If the file fails the integrity check, there is an installer to reinstall the file. Thus Krishnaswami meets the limitations as recited in independent claims 1 and 10.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3, 6, 7, 9-11, 14, 15 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Krishnaswami et al U.S. Patent No. 6,618,735 B1.

As to claims 1 and 10, Krishnaswami et al discloses a method for maintaining the integrity of a file at a remote location via a communication medium, comprising the steps of:

performing an integrity check on the file [column 5, lines 10-28];

redirecting to a install module if the integrity check fails [column 5, lines 44-59]; and

reinstalling the file at the remote location via the communication medium, thereby maintaining the integrity of the file [column 6, lines 16-59].

As to claims 2 and 11, Krishnaswami et al discloses that the step of performing the integrity check comprises the steps of:

using an algorithm on the file to produce a remote value;
communicating the remote value to an integrity module via the communication medium;
using the algorithm on a mirror file to produce a secure value, wherein the mirror file is a valid copy of the file; and
communicating that the integrity check passed if the remote value and the secure value are equivalent [column 7, lines 9-25].

As to claims 3 and 18, Krishnaswami et al discloses that the algorithm is a hash algorithm [column 6, lines 60-62].

As to claims 6 and 14, Krishnaswami et al discloses that the communication medium is the Internet [column 3, lines 47-59].

As to claims 7 and 15, Krishnaswami et al discloses that the communication medium is a local network [column 3, lines 47-59].

As to claims 9 and 17, Krishnaswami et al discloses that the remote location is an authentication control component [column 7, lines 9-25].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswami et al U.S. Patent No. 6,618,735 B1 as applied to claims 1 and 10 above, and further in view of Logan U.S. Patent No. 6,665,659 B1.

As to claims 4 and 12, Krishnaswami et al does not teach that the step of redirecting to the install module comprises modifying the address of the install module to include a parameter to indicate the remote location of the file. Krishnaswami et al does not teach that the step of redirecting to the install module comprises producing, from the remote location, a request based on the modified address. Krishnaswami et al does not teach that the step of redirecting to the install module comprises communicating the request to the install module in the login page that instantiated the file at the remote location.

Logan teaches modifying the address of an install module to include a parameter to indicate the remote location of the file. Logan teaches redirecting to an install module comprises producing, from the remote location, a request based on the modified address. Logan teaches redirecting to an install module comprises communicating the request to the install module in the login page that instantiated the file at the remote location [column 8, lines 40-51].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al so that the address of an install module would have been modified to include a parameter that indicated the remote location of the file. A request based on the modified address would have been produced, from the remote location. The request would have been communicated to the install module in the login page that instantiated the file at the remote location.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al by the teaching of Logan because it enables an user to locate desired information and to differentiate between different items of such information based on its attributes [column 1, lines 59-61].

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7. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswami et al U.S. Patent No. 6,618,735 B1 as applied to claims 1 and 10 above, and further in view of Gauvin et al U.S. Patent No. 5,991,760.

As to claims 5 and 13, Krishnaswami et al does not teach that the step of reinstalling the remote file comprises generating a reinstallation web page, by the install module, based on a request from the remote location. Krishnaswami et al does not teach that the step of reinstalling the remote file comprises communicating the reinstallation web page, via the communication medium, to the remote location. Krishnaswami et al does not teach that the step of reinstalling the remote file comprises reinstalling the remote file at the remote location.

Gauvin et al teaches generating a reinstallation web page, by the install module, based on a request from the remote location. Gauvin et al teaches reinstalling the remote file comprises communicating the reinstallation web page, via the communication medium, to the remote location. Gauvin et al teaches reinstalling the remote file at the remote location [column 6, lines 17-60].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al so that a reinstallation web page would have been generated, by the install module, based on a request from the remote location. The remote file would have been reinstalled by communicating the reinstallation web page, via the communication medium, to the remote location. The remote file would have been reinstalled at the remote location.

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It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al by the teaching of Gauvin et al because it provides a user with a clean updated version of the file [column 2, lines 12-28].

8. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswami et al U.S. Patent No. 6,618,735 B1 as applied to claims 1 and 10 above, and further in view of Satyanarayana et al U.S. Patent No. 5,909,429.

As to claims 8 and 16, Krishnaswami et al does not teach that the communication medium is a wireless network.

Satyanarayana et al teaches a communication network that is a wireless network as well as its benefits [column 6 line 66 to column 7 line 9].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al so that the communication medium was a wireless network.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Krishnaswami et al by the teaching of Satyanarayana et al because wireless networks eliminate the need for connectors and wires at the, provides an opportunity for testing the operation of the nodes prior to completion of installation of the network (and prior to execution of the network initialization routine), and reduces the cost and time required for installation of the wireless network [column 9, lines 37-47].

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy 
April 18, 2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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